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April 8, 2016

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BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Michael Picarella v. HSBC Securities (USA) Inc., No. 14 CV 4463 (ALC)
James Rist v. HSBC Securities (USA), Inc. 14 Civ. 6503 (ALC) (AJP)

Dear Judge Carter:

We represent Plaintiffs Michael Picarella and James Rist in the above-referenced cases. The Court recently scheduled a conference for April 12, 2016 at 3:30 p.m. to set trial deadlines for both cases.

James Hubbard and Marc Susswein, counsel for Plaintiffs, have been appearing since April 4 in a FINRA arbitration hearing that may not conclude before the end of the day on Tuesday, April 12. While it is possible that this FINRA hearing will conclude before the time scheduled for the April 12 conference in these cases, we felt it advisable to inform the Court and counsel of this potential conflict.

Damien Marshall, counsel for the Defendant in both cases, has indicated that he is available to attend a scheduling conference in these cases on either Wednesday, April 13 or Thursday, April 14.

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The Honorable Andrew L. Carter, Jr.

-2-

April 8, 2016

In light of this potential conflict, we request that the Court reschedule the conference to either April 13 or April 14 or a later date convenient to the Court.

Respectfully submitted,

James R. Hubbard / EL

James R. Hubbard

cc: All Counsel of Record (by ECF)

*Plaintiffs have retracted their
request to adjourn the conference.
Conference will proceed at 4/12/16 at
3:30pm as originally scheduled.*

So Ordered
Andrew Carter
*4-11-16*⁶